

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BYRON BAPTISTE,

Plaintiff,

vs.

**ALLSTATE VEHICLE AND
PROPERTY INSURANCE COMPANY
AND CHRISTOPHER COOK**

Defendants.

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Civil Action No. 3:17-cv-01874-B

AGREED MOTION TO REMAND

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Plaintiff Byron Baptiste (“Plaintiff”), and Defendants Allstate Vehicle and Property Insurance Company and Christopher Cook (“Defendants”), file their Agreed Motion to Remand and state the following:

Plaintiff and Defendants entered into a stipulation whereby Plaintiff agrees he will not seek or accept damages in excess of \$75,000.00, including exemplary and punitive damages, penalties, and attorneys’ fees, but exclusive of interest and costs, which might be rendered in their favor. In addition, Plaintiff stipulates the total sum and value in controversy, as well the total damages sought by Plaintiff against Defendants for all elements of damage, does not exceed the sum of \$75,000.00, including exemplary and punitive damages, penalties, and attorneys’ fees, but exclusive of interest and costs. Plaintiff stipulates that any and all costs associated with mediation do not constitute court costs. A copy of the stipulation is attached as Exhibit “A” and is incorporated herein for all purposes.

As a result of the above stipulation, the amount in controversy will not exceed \$75,000.00 and this Court will not have jurisdiction under 28 USCA 1332.

For these reasons, Plaintiff and Defendants ask the Court to remand this case back to the 116th Judicial District Court of Dallas County, Texas.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that I electronically filed this document with the United States District Court for the Northern District of Texas and that through the electronic filing system and by facsimile, a copy of the foregoing document was served on the following counsel of record on August 14, 2017:

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